

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN D. TERRY,

Defendant.

**8:20-CR-248**

**PRELIMINARY ORDER OF FORFEITURE**

This matter is before the Court upon the government's Motion for Preliminary Order of Forfeiture, [Filing 168](#). The Court has carefully reviewed the record in this case and finds as follows:

1. On April 24, 2023, a Change of Plea hearing was held and the defendant, Ryan D. Terry, agreed to waive indictment by a grand jury, entered a plea of guilty to an Information, and admitted to the Forfeiture Allegation. [Filing 157](#); [Filing 165](#). The Information charged the Defendant with one count of conspiracy to possess and distribute marijuana and tetrahydrocannabinol (THC), in violation of 21 U.S.C. § 846.
2. The Forfeiture Allegation sought forfeiture, pursuant to [21 U.S.C. § 853](#) of the following property because it was either used to facilitate the offenses charged in the Information or was derived from proceeds obtained from the commission of the offenses charged in the Information:
  - a. real property located at 7610 Hartman Ave. in Omaha, Nebraska, more particularly described as:  
Lot 8, Block 1, Kroegers Add; Parcel Number: 1533581015;
  - b. real property located at 8608 Templeton Dr. in Omaha, Nebraska, more particularly described as:  
Lot 20, Block 24, Hargleroads-Military Add; Parcel Number: 1255050000;
  - c. real property located at 12020 N 144<sup>th</sup> Plaza in Douglas County, Nebraska 68007-000, more particularly described as:

A tract of land located in the West one-half of the Southwest one-quarter of Section 12, Township 16 North, Range 11 East of the 6th P.M., Douglas county, Nebraska, more particularly described as follows: Commencing at the Northwest corner of

said Southwest Quarter; thence *on* the West line of said Southwest Quarter and on an assigned bearing of South 0 degrees 30 minutes 19 seconds East a distance of 604.71 feet to the point of beginning; thence North 88 degrees 43 minutes 27 seconds East 771.72 feet; thence South 0 degrees 30 minutes 19 seconds East 869.63 feet; thence South 90 degrees 00 minutes 00 seconds West 771.68 feet to a point on said West line of the Southwest Quarter; thence on said West line North 0 degrees 30 minutes 19 seconds West 852.45 feet to the point of beginning, EXCEPT a tract of land described as commencing at the Northwest corner of said Southwest Quarter; thence Southerly on the West line of said Southwest Quarter on an assigned bearing of South 0 degrees 30 minutes 19 seconds East a distance of 1212.00 feet to the point of beginning; thence Easterly, North 90 degrees 00 minutes 00 seconds East 771.68 feet; thence Southerly, South 0 degrees 30 minutes 19 seconds East 245.16feet; thence Westerly, South 90 degrees 00 minutes 00 seconds West 771.68 feet to a point on said West line of the Southwest Quarter; thence Northerly, on said West line, North 0 degrees, 30 minutes 19 seconds West 245.16 feet to the point of beginning.

And

A tract of land located in the Southwest Quarter of Section 12, Township 16 North, Range 11 East of the 6th P.M., Douglas county, Nebraska, more particularly described as follows: Commencing at the Northwest corner of said Southwest Quarter; thence Southerly on the West line of said Southwest Quarter, on an assigned bearing of South 0 degrees 30 minutes 19 seconds East a distance of 604.71 feet; thence Easterly, North 88 degrees 43 minutes 27 seconds East 729.70 feet to the point of beginning; thence Northerly, North 0 degrees 53 minutes 32 seconds West 100.05 feet; thence Easterly, North 88 degrees 43 minutes 27 seconds East 297.00 feet; thence Southerly, South 0 degrees 30 minutes 19 seconds East 730.19 feet; thence Westerly, South 90 degrees 00 minutes 00 seconds West 254.28 feet; thence Northerly, North 0 degrees 30 minutes 19 seconds West 624.47 feet; thence Westerly, South 88 degrees 43 minutes 27 seconds West 42.03 feet to the point of beginning.

Together with

A 50 foot wide driveway easement in part of the Southeast Quarter of the Southeast Quarter of Section 11, Township 16 North, Range 11 East of the 6th P.M., and part of the Southwest Quarter of Section 12, Township 16 North, Range 11 East of the 6th P.M., all in Douglas County, Nebraska, being more particularly described as follows: Beginning at the Southeast corner of said Southeast Quarter of the Southeast Quarter of said Section 11; thence South 89 degrees 51 minutes 33 seconds West (an assumed bearing relative to all bearings contained herein) for 16.52 feet along the South line of *said* Southeast Quarter of the Southeast Quarter of said Section 11 !hence North 00 degrees 07 minutes 12 seconds West for 1136.29 feet; thence Northeasterly along a 625.0 foot radius curve to the right (chord bearing North 14 degrees 08 minutes 12 seconds East for 307.83 feet) for an arc length of 311.03 feet; thence South 89 degrees 37 minutes 59 seconds East for 57.36 feet;

thence Southwesterly along a 575.0 foot radius curve to the left (chord bearing South 15 degrees 28 minutes 47 seconds West for 309.26 feet) for an arc length of 313.11 feet; thence South 00 degrees 17 minutes 12 seconds East for 1136.35 feet; thence South 90 degrees 00 minutes 00 seconds West for 33.48 feet along the South line of said Southwest Quarter of said Section 12 to the point of beginning.

- d. TNT ASSOCIATES, LLC, a Nebraska Limited Liability Company.
- 3. By virtue of the parties' plea agreement, the defendant also agreed to forfeit \$41,440.00 in United States currency, pursuant to [21 U.S.C. § 853](#), in lieu of forfeiting the Defendant's residence at 3230 North 125th Street Omaha, Nebraska.
- 4. Based on Terry's guilty plea and admission, Terry forfeits his interest in the above-described property and the \$41,440.00 in United States currency (the property) and the Government should be entitled to possession of the property pursuant to [21 U.S.C. § 853](#).
- 5. The Government's Motion for Preliminary Order of Forfeiture should be granted.

IT IS ORDERED:

- 1. The Government's Motion for Preliminary Order of Forfeiture, [Filing 168](#), is granted.
- 2. Based upon the Forfeiture Allegation of the Information and Defendant's guilty plea and admission, the Government is hereby authorized to seize the property.
- 3. Defendant's interest in the property is hereby forfeited to the government for disposition in accordance with the law, subject to the provisions of [21 U.S.C. § 853\(n\)\(1\)](#).
- 4. The property is to be held by the Government in its secure custody and control.
- 5. Pursuant to [21 U.S.C. § 853\(n\)\(1\)](#), the Government shall publish for at least thirty consecutive days on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than defendant, having or claiming a legal interest in any of the subject property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
- 6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the property, shall be signed by the Petitioner under penalty of perjury, and shall set forth the

nature and extent of the Petitioner's right, title, or interest in the property and any additional facts supporting the Petitioner's claim and the relief sought.

7. The Government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the property as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to [21 U.S.C. § 853\(n\)](#), in which all interests will be addressed.

Dated this 8th day of May, 2023.

BY THE COURT:



Brian C. Buescher  
United States District Judge